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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

THE STATE OF OREGON, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, President of the
United States, *et al.*,

Defendants.

Case No. 6:18-cv-01959-MC

**DEFENDANTS' UNOPPOSED
MOTION FOR A STAY OF
PROCEEDINGS IN LIGHT OF
LAPSE OF APPROPRIATIONS**

The defendants hereby respectfully move for a stay of proceedings in the above-captioned action.

1. Plaintiffs' counsel have authorized counsel for the defendants to state that the plaintiffs have no objection to this motion.

2. At the end of the day on December 21, 2018, the appropriations act that had been funding the U.S. Department of Justice expired and appropriations to the Department lapsed. The same is true for several other Executive agencies. The Department does not know when funding will be restored by Congress.

3. Absent an appropriation, Department of Justice attorneys and other employees are prohibited from working, even on a voluntary basis, except in very limited

circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

4. Undersigned counsel for the Department of Justice therefore requests a stay of proceedings in this action until Congress has restored appropriations to the Department.

5. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Federal Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

Therefore, although defendants greatly regret any disruption caused to the Court and the other litigants, the Federal Government hereby respectfully requests a stay of proceedings in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated: December 27, 2018

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

BILLY J. WILLIAMS
United States Attorney

JOHN R. TYLER
Assistant Director

s/ W. Scott Simpson

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